

7.5.11 ELECTRONIC CONTROL DEVICE

Revised: January 2010

The Patrol Bureau has audit responsibility.

The Electronic Control Device (ECD) is a hand held, battery-powered weapon. It is designed to override the sensory and motor nervous functions of the central nervous system, and temporarily incapacitate violent or potentially violent subjects via uncontrollable contractions of the muscle tissue. The ECD is a force option and is governed by the Use of Force policy outlined in Long Beach Police Department Manual Section 7.1.2.

Officers may use the ECD as a viable option when command presence alone is ineffective and the use of the ECD is reasonable and necessary to accomplish a lawful objective. It shall be the individual responsibility of the officer to use the ECD only when reasonable and justified under the circumstances. The ECD may also be used during Department approved training sessions.

The use of the ECD shall be restricted to authorized personnel who have completed a Department approved training course. Officers shall qualify annually with the ECD.

Although classified as a less lethal weapon, the potential exists to inflict serious injuries. The user should avoid targeting a subject in the head, neck and upper torso/chest area. If feasible, a suspect will be warned prior to any use of force that is reasonably likely to cause serious injury.

In all cases when the ECD cartridge probes are used, striking the subject or his/her clothing, and a subject is taken into custody, medical personnel shall evaluate the subject **before** being transported for booking. The subject shall be taken to the contract hospital or, in an emergency, to the nearest hospital emergency room for evaluation and booking approval. When the drive stun feature of the ECD is used and the subject is taken into custody, the subject shall be evaluated by medical personnel prior to booking. With the drive stun feature, Jail Division medical personnel (i.e. jail nurse) can assess the need for further medical treatment or authorize booking. If Jail Division medical personnel are not available, the subject shall be transported to the contract hospital for medical clearance prior to booking.

Whenever an arrestee sustains a fatal or life-threatening injury and/or experiences fatal or life-threatening medical complications, the Homicide Detail **shall** be notified. The Homicide Detail will assign a team of detectives to respond and assume control of the investigation.

PROCEDURES

Deployment Criteria

- To defend any person from aggressive action by a subject
- The subject has made credible threats to harm officers, others, or him/herself

- The subject stated or exhibited the intent to actively resist being taken into custody
- The subject's violent actions, or potential for weapons, dictate the need for an immediate response and the use of the ECD is appropriate
- When the subject is engaged in a riotous, unlawful assembly
- The ECD should not be used on non-violent suspects who passively resist detention (fail to follow verbal commands only) without prior authorization from an on-scene supervisor
- The ECD may be used to subdue aggressive or attacking animals
- Approved training sessions

ECD Deployment Guidelines

Factors to consider for obtaining accuracy and effectiveness with the ECD:

- **Accuracy:** Officers must hit the suspect with both probes in order for the weapon to function properly
- **Distance:** The ECD can be fired from distances of 0 to 25 feet. The recommended firing distances for optimum probe spread and accuracy are 7 to 15 feet
- **Targeting:** In addition to the abdominal area of the front torso, officers should consider targeting other areas of the body containing large muscle groups such as the back and/or legs
- **Clothing:** Clothing over two inches thick and/or the presence of hard objects in pockets or on the subject's person, if struck, will inhibit the effectiveness of the weapon
- **Drive Stun:** The drive stun feature of the ECD is primarily a pain compliance tool and is minimally effective when compared to conventional cartridge discharge. It is designed as an emergency back-up feature and/or as a reasonable force option in close quarter altercations

Safety facts to consider when deploying the ECD:

- **Targeting:** Officers should avoid targeting the subject's head, neck, and the upper torso/chest area when firing the probes and/or using the drive stun feature of the weapon
- **Pregnant women:** Officers shall not use the ECD against a pregnant woman unless reasonable alternatives would pose a greater safety risk to the suspect and/or cause serious injury to the officers. If the ECD is determined to be the only reasonable alternative the back and/or lower extremities should be targeted when possible
- **Falls:** The ECD shall not be used when the subject is in a position where a fall may cause substantial injury or death unless reasonable alternatives would pose a greater safety risk to the suspect and/or cause serious injury to officers
- **Flammables:** The ECD can ignite flammable and/or combustible products and their accompanying fumes. Therefore, it **should not** be deployed in environments where these are present. This also includes a subject who has

- been exposed to Cap Stun Pepper Spray and/or Mace, as these products are discharged with an alcohol-based propellant
- **Armed individuals:** Absent compelling reasons to do so, officers shall not use the ECD against subjects who are holding a firearm. The uncontrollable muscle contractions caused by the ECD could potentially cause the suspect to depress the trigger
 - **Vehicle Operators:** The ECD should not be used on subjects who are operating vehicles in motion, including automobiles, trucks, motorcycles, ATV's, bicycles and scooters absent exigent circumstances

Administrative Controls

- **Mandatory deployment:** All uniformed personnel issued an ECD shall carry it while working field assignments. The only exceptions are when the issued ECD is unavailable due to maintenance and/or repair. Only the Department-issued ECD shall be carried
- **Holstering:** On-duty uniformed personnel shall carry the ECD, fully armed, on the support side of the body in a Department approved holster with the safety on. The holster shall be attached to the officer's duty belt. Officers should carry at least one additional cartridge in case additional applications are necessary
- **Non-uniformed personnel:** Those authorized to use the ECD who are not assigned to uniformed patrol may use other Department approved holsters and carry and deploy the weapon consistent with Department training and Bureau guidelines
- **Multiple applications:** Officers shall energize the subject the least number of times and no longer than necessary to accomplish the lawful objective. When compliance and/or effective incapacitation is not gained by the use of the ECD, officers shall give special consideration to securing the subject via other reasonable force options as soon as practical
- **Handcuffed prisoners:** The ECD shall not be used against handcuffed prisoners, absent overtly assaultive behavior that cannot be controlled by lesser force options, without the prior approval of an on-scene supervisor or in exigent circumstances where reasonable alternatives would pose a greater safety risk to the subject and/or cause serious injuries to officers
- **Pre-teen children:** The ECD shall not be used against pre-teen children unless reasonable alternatives would pose a greater safety risk to the child and/or cause serious injuries to officers
- **Elderly/Physically disabled:** The ECD shall not be used against known elderly subjects or visibly disabled subjects unless reasonable alternatives would pose a greater safety risk to the subject and/or cause serious injuries to officers

Officer Responsibilities

Request a Lab Unit, or qualified officer, to photograph the scene and all injuries. Locate any evidence, including: the ECD cartridge(s), probes and wires, any recoverable AFID(s), and place them into evidence. The probes shall be treated in accordance with Department biohazard evidence packaging procedures

The following information shall be documented in the officer's report:

- The subject's actions and/or behavior prior to deployment of the ECD
- The use of force attempted and the results, if any, prior to the deployment of the ECD
- The names of the supervisor and Watch Commander who were notified
- The names of medical personnel and location treated
- The names of any citizens and/or officers who were injured prior to, or during, deployment
- The names of any witnesses to the incident and their statement

Supervisor Responsibilities

- Ensure a medical evaluation is conducted
- Ensure a follow-up investigation and documentation of all events surrounding the use of the ECD is completed
- Complete the "Supervisor's Use of Force Report"
- Before the end of shift, forward copies of all pertinent reports to the Chief of Police, Deputy Chief of the Support Bureau, the involved-employee's Bureau Chief and Division Commander
- Notify the Watch Commander
- Document the incident in the electronic Watch Commander's Log

Annual Maintenance

- Every ECD issued will be serviced once per year
- This maintenance will be performed during annual re-certification